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August 11, 2014

**VIA COURIER**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Attention: Video Division  
Media Bureau

Re: KPXE-TV, Kansas City, Missouri  
Facility I.D. No. 33337  
Petition to Amend the DTV Table of Allotments

**ACCEPTED/FILED**

AUG 11 2014

Federal Communications Commission  
Office of the Secretary

Dear Ms. Dortch:

On behalf of ION Media Kansas City License, Inc., licensee of commercial television station KPXE-TV, Kansas City, Missouri, we hereby transmit an original and four copies of a *Petition for Rule Making* requesting the substitution of Channel 30 for Channel 51 at Kansas City, Missouri in the DTV Table of Allotments.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



John R. Feore, Jr.

Enclosure

cc: Ms. Joyce Bernstein (via e-mail)

No. of Copies rec'd 0+4  
List ABCDE

MB-Video 14-21

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Amendment of Section 73.622(i)  
Post-Transition Table of Allotments,  
Digital Television Broadcast Stations  
(Kansas City, Missouri)

MB Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

**ACCEPTED/FILED**

**AUG 11 2014**

To: Office of the Secretary  
Attn: Chief, Video Division  
Media Bureau

Federal Communications Commission  
Office of the Secretary

**PETITION FOR RULE MAKING  
TO AMEND THE DTV TABLE OF ALLOTMENTS**

By its attorneys and pursuant to Sections 1.401, 73.616, and 73.622(a) of the Commission's Rules,<sup>1</sup> ION Media Kansas City License, Inc. ("Licensee"), licensee of KPXE-TV, Kansas City, Missouri (the "Station"), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(i), the Post-Transition DTV Table of Allotments, by substituting Channel 30 as the Station's post-transition DTV channel in lieu of Channel 51. This instant petition is submitted in accordance with the Commission's announcement that it would lift the freeze on channel change petitions filed by parties relocating from Channel 51 pursuant to a voluntary relocation agreement.<sup>2</sup>

<sup>1</sup> 47 C.F.R. §§ 1.401, 73.616, 73.622(a).

<sup>2</sup> See General Freeze on the Filing and Processing of Applications for Channel 51 Effective Immediately and Sixty (60) Day Amendment Window for Pending Channel 51 Low Power Television, TV Translator and Class A Applications, *Public Notice*, 26 FCC Rcd 11409 (Med. Bur. 2011). Licensee has entered into a voluntary relocation agreement regarding the Station with T-Mobile USA, Inc.

Specifically, the Post-Transition DTV Table of Allotments would be amended as follows:

	<u><b>Present</b></u>	<u><b>Proposed</b></u>
Kansas City, MO	<u>*18, 24, 29, 31, 34, 42, 47, <b>51</b></u>	<u>*18, 24, 29, <b>30</b>, 31, 34, 42, 47</u>

The proposed amendment would be in the public interest. Licensee is seeking the channel substitution because the cessation of operations on Channel 51 would eliminate potential interference with wireless operations in the adjacent Lower 700 MHz A Block.<sup>3</sup>

As the attached Technical Exhibit demonstrates, the proposed facility complies with the Commission's rules for post-transition DTV operation. The Station's proposed service area encompasses its community of license, and the proposed parameters comply with the Commission's interference standards.<sup>4</sup> The proposed facility would serve all viewers currently receiving digital service and it would serve almost 50,000 additional persons.<sup>5</sup>

For the convenience of the Commission, we hereby provide the present and proposed parameters:

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<sup>3</sup> See, e.g., *Lincoln, Nebraska*, 27 FCC Rcd 433 (Med. Bur 2012) (public interest served by clearing DTV broadcaster from Channel 51); *Jackson, Mississippi*, 26 FCC Rcd 3935 (Med. Bur 2011) (same); see also Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59), *Report and Order*, 17 FCC Rcd 1022, 1096, n.549 (2002) (public interest served by making new or advanced wireless services available to consumers).

<sup>4</sup> See Attachment A, Technical Exhibit at 2, 3; 47 C.F.R. §§ 73.616(b),(e), 73.623(d), 73.625(a).

<sup>5</sup> Attachment A, Technical Exhibit at 2.

Present:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAA T (m)	Antenna ID	Latitude (DDMM SS)	Longitude (DDDMM SS)
33337	M O	KANSAS CITY	--	51	1000	339		390120	943049

Proposed:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAA T (m)	Antenna ID	Latitude (DDMM SS)	Longitude (DDDMM SS)
33337	M O	KANSAS CITY	--	<u>30</u>	1000	339		390120	943049

For the foregoing reasons, Licensee respectfully requests that the Commission amend the Post-Transition DTV Table of Allotments as proposed. Adoption would serve the public interest by permitting the Station to serve more viewers than it could reach on its current channel.

Respectfully submitted,

ION MEDIA KANSAS CITY LICENSE, INC.

By:

  
\_\_\_\_\_  
John R. Feore, Jr.  
Derek Teslik

Its Attorneys

Cooley LLP  
1299 Pennsylvania Avenue, N.W.  
Suite 700  
Washington, D.C. 20004  
(202) 842-7800

Dated: August 11, 2014

**ATTACHMENT A**

**Technical Exhibit**

TECHNICAL EXHIBIT  
IN SUPPORT OF PETITION FOR RULEMAKING  
TELEVISION STATION KPXE-TV  
KANSAS CITY, MISSOURI

August 6, 2014



TECHNICAL EXHIBIT  
IN SUPPORT OF PETITION FOR RULEMAKING  
TELEVISION STATION KPXE-TV  
KANSAS CITY, MISSOURI

Table of Contents

	Technical Statement
Figure 1	Technical Specifications
Figure 2	Predicted Coverage Contours
Figure 3	Interference Analysis Pursuant to Office of Engineering and Technology Bulletin No. 69

TECHNICAL EXHIBIT  
IN SUPPORT OF PETITION FOR RULEMAKING  
TELEVISION STATION KPXE-TV  
KANSAS CITY, MISSOURI

Technical Statement

This Technical Statement was prepared on behalf of television broadcast station KPXE-TV, Kansas City, Missouri (Channel 51), in support of a Petition for Rulemaking to amend Section 73.622(i) of the FCC Rules to change the KPXE-TV post-transition digital television channel. KPXE-TV is an ION Media Network station that broadcasts the ION Television Network.

KPXE-TV is authorized for operation on Channel 51 with a nominal non-directional effective radiated power (ERP) of 1000 kW and antenna height above average terrain (HAAT) of 339 m.\* KPXE-TV has entered into a voluntary agreement with the licensee of the lower 700-MHz Block A spectrum (T-Mobile) that contemplates the migration of KPXE-TV from Channel 51 to Channel 30. Accordingly the licensee of KPXE-TV is proposing the substitution of Channel 30 for Channel 51 at Kansas City, Missouri in its Petition for Rulemaking.

The FCC has recognized the significant public interest benefits of clearing Channel 51 to the extent possible prior to the auction and repacking plan. In 2011, the FCC lifted the freeze on channel substitution rulemaking petitions to allow channel changes to Channel 51 stations.† The FCC has also stated in its recent *Report and Order (R&O)* in the auction and repacking plan, that such petitions are exempt from

\* See FCC File No. BMLCDT-20041112AAI.

† *Public Notice*, "General Freeze on the Filing and Processing of Applications for Channel 51 Effective Immediately and Sixty (60) Day Amendment Window for Pending Channel 51 Low Power Television, TV Translator and Class A Applications," 26 FCC Rcd 11409 (MB 2011).



the Media Bureau's April 5, 2013 freeze on the filing of certain facilities modifications.<sup>‡</sup> In its *R&O* the Commission stated that it would continue to allow Petitions to reallocate stations from Channel 51 provided that the subject facilities are licensed by the Pre-Auction Licensing Deadline, which is expected to be set by the FCC toward the end of the first quarter of 2015.

The reallocation of KPXE-TV to Channel 30 would serve the public interest since it will allow for T-Mobile to launch advanced wireless services on the Lower 700 MHz Block A spectrum. The operation of KPXE-TV on Channel 30 would remove any potential interference with a wireless operation located directly adjacent to Channel 51 in the Kansas City market area.

KPXE-TV proposes to operate on UHF Channel 30 with a maximum ERP of 1000 kW (30.0 dBk) employing a directional antenna with an overall HAAT of 339 meters. The proposal is specified with facilities that will better than replicate the coverage of its licensed digital facility.<sup>§</sup> Specifications for the proposal are included herein at Figure 1.

#### Community of License Coverage Compliance

The proposed KPXE-TV allotment facility complies with the coverage requirements of Section 73.625 of the FCC Rules. A map showing the predicted coverage contours is included herein at Figure 2. As indicated, the predicted 48 dBu, f(50,90) contour encompasses the entire community of Kansas City, Missouri as required.

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<sup>‡</sup> *Report and Order*, "In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions," GN Docket No. 12-268, Released: June 2, 2014.

<sup>§</sup> The licensed KPXE-TV Channel 51 facility provides noise-limited interference-free service to 2,158,519 based on the FCC's OET-69 Longley-Rice prediction model. The proposed KPXE-TV facility on Channel 30 will provide noise-limited interference-free service to 2,208,105 based on the FCC's OET-69 Longley-Rice prediction model.

Allocation Concerns

The proposed Channel 30 facility meets the requirements of Section 73.616 of the FCC Rules concerning predicted interference to other DTV allotments and assignment records. Longley-Rice interference analyses were conducted pursuant to the requirements of the FCC Rules and FCC OET Bulletin No. 69\*\*. The results of the interference analyses for the proposed facility are summarized herein at Figure 3. As indicated therein, the proposed facility will meet the 0.5% *de minimis* interference criterion outlined in the FCC Rules to all pertinent allotments and assignments.

Conclusion

The instant proposal was designed to meet the FCC's *de minimis* interference requirements for protection to other facilities and the coverage requirements of the KPXE-TV community of license of Kansas City, Missouri. In addition, the proposal was designed to provide better than replication of the interference-free noise-limited service area of KPXE-TV. In view of the forgoing, it is concluded that the instant proposal meets the FCC's requirements and that its approval would serve the public interest.



Louis R. du Treil, Jr.

du Treil, Lundin & Rackley, Inc.  
201 Fletcher Ave.  
Sarasota, FL 34237

August 6, 2014

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\*\* See *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, OET Bulletin 69, Federal Communications Commission (February 6, 2004).

TECHNICAL EXHIBIT  
IN SUPPORT OF PETITION FOR RULEMAKING  
TELEVISION STATION KPXE-TV  
KANSAS CITY, MISSOURI

Technical Specifications

Channel / Frequency Band	30 / 566-572 MHz
Zone	II
Reference Coordinates (NAD 27):	
Latitude	39°01'20" North
Longitude	94°30'49" West
Height of Radiation Center Above Mean Sea Level	616 m
Height of Radiation Center Above Ground Level	346 m
Height of Radiation Center Above Average Terrain (HAAT)	339 m
Maximum Effective Radiated Power (ERP)	1000 kW (30.0 dBk)

Directional Antenna Relative Field Values (See Sheet 2 for Polar Graph)					
Degrees	Value	Degrees	Value	Degrees	Value
0	1.000	120	0.917	240	0.917
10	0.984	130	0.901	250	0.949
20	0.949	140	0.901	260	0.984
30	0.917	150	0.917	270	1.000
40	0.901	160	0.949	280	0.984
50	0.901	170	0.984	290	0.949
60	0.917	180	1.000	300	0.917
70	0.949	190	0.984	310	0.901
80	0.984	200	0.949	320	0.901
90	1.000	210	0.917	330	0.917
100	0.984	220	0.901	340	0.949
110	0.949	230	0.901	350	0.984
Antenna Rotation : none					



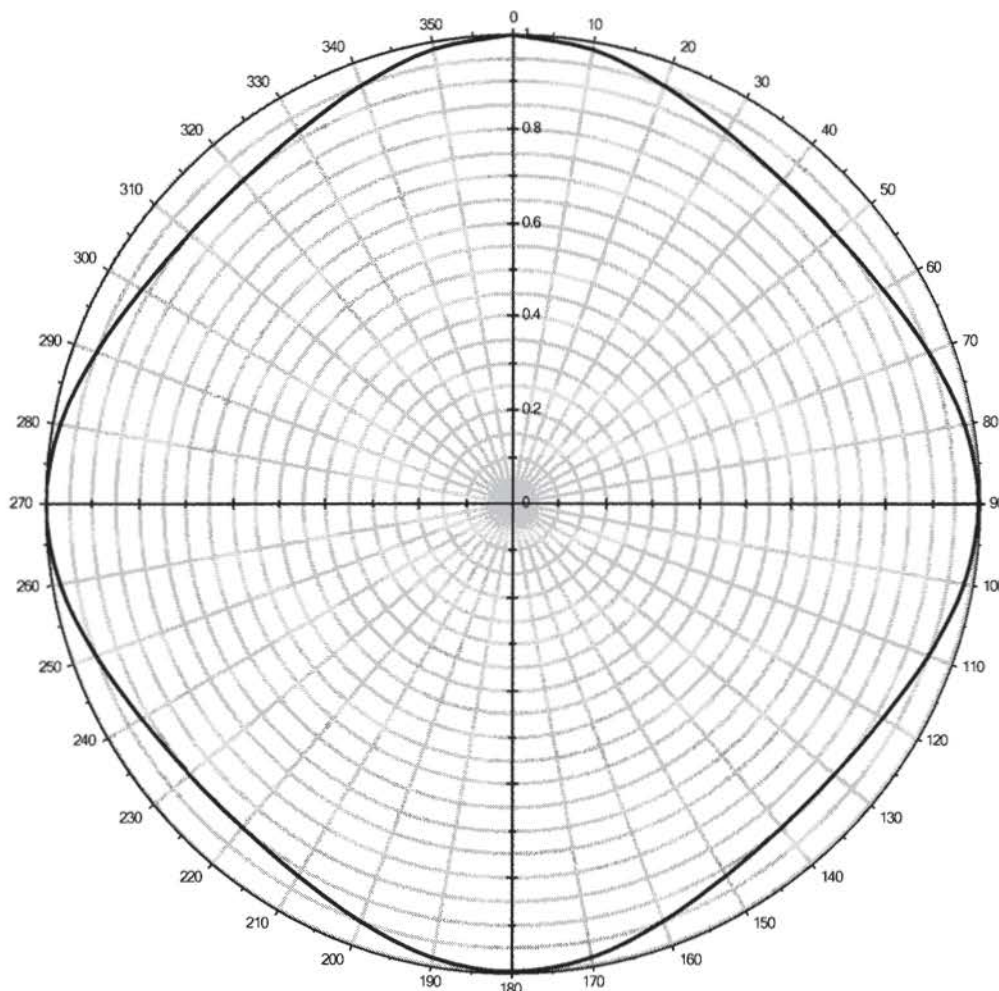
# DA Inquiry

du Treil, Lundin, & Rackley, Inc., Sarasota, Florida



Antenna ID: 800572

KPXE-TV  
Kansas City, MO  
Channel 30



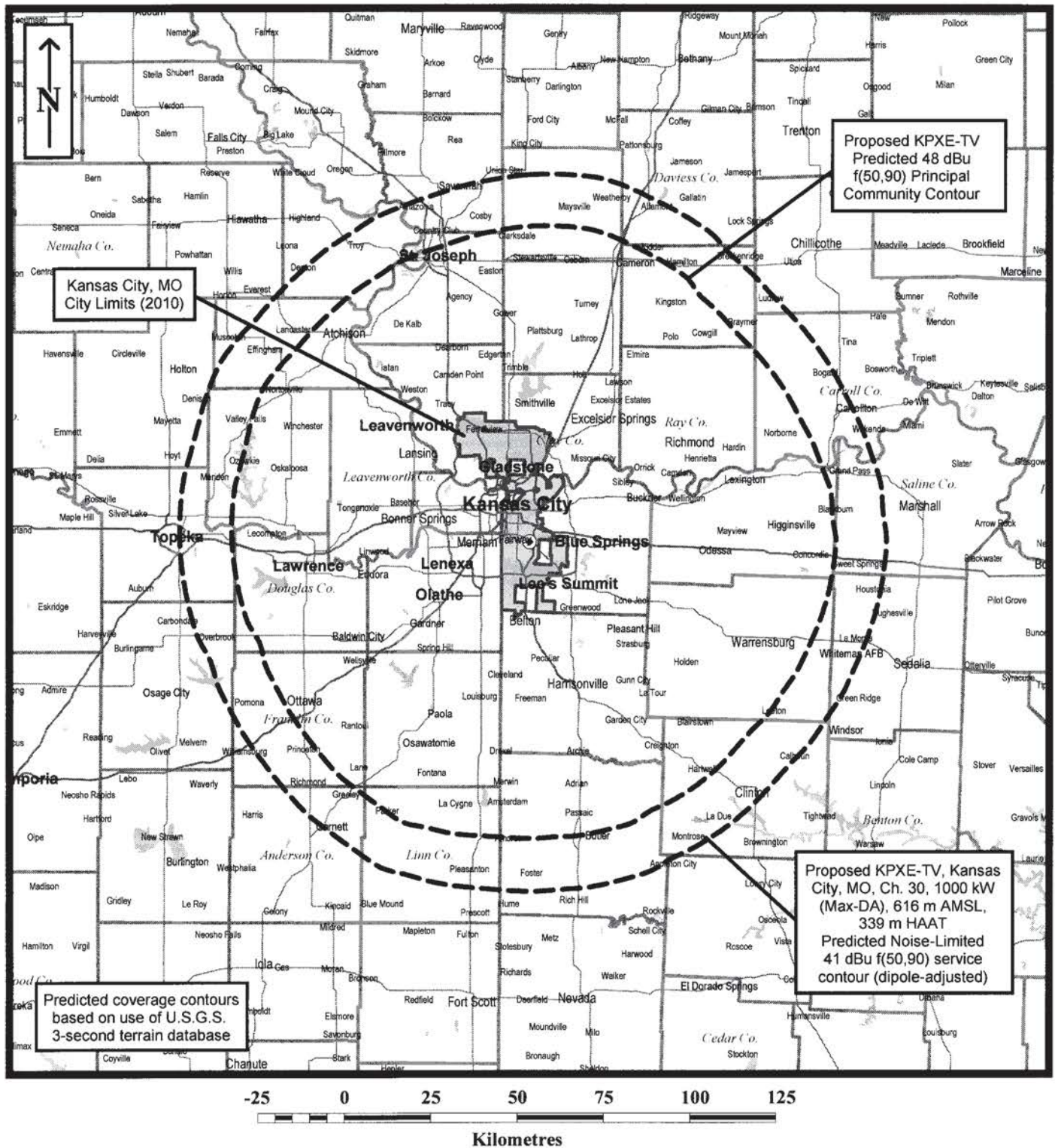
Note: display reflects rotation of 0.00°

0° 1.000	60° 0.917	120° 0.917	180° 1.000	240° 0.917	300° 0.917
10° 0.984	70° 0.949	130° 0.901	190° 0.984	250° 0.949	310° 0.901
20° 0.949	80° 0.984	140° 0.901	200° 0.949	260° 0.984	320° 0.901
30° 0.917	90° 1.000	150° 0.917	210° 0.917	270° 1.000	330° 0.917
40° 0.901	100° 0.984	160° 0.949	220° 0.901	280° 0.984	340° 0.949
50° 0.901	110° 0.949	170° 0.984	230° 0.901	290° 0.949	350° 0.984

Antenna Make:  
Antenna Model:

Standard Pattern:  
Last Change Date:

Figure 2



## PREDICTED COVERAGE CONTOURS

duTreil, Lundin & Rackley, Inc. Sarasota, Florida

TECHNICAL EXHIBIT  
IN SUPPORT OF PETITION FOR RULEMAKING  
TELEVISION STATION KPXE-TV  
KANSAS CITY, MISSOURI

Interference Analysis Pursuant to  
Office of Engineering and Technology Bulletin No. 69

(4 pages follow)



# OET-69 Interference Analysis (KPXE-TV, Kansas City, MO, Channel 30)(Worst-Case Scenarios)

Percent allowed new interference: 0.500  
Percent allowed new interference to non Class A LPTV: 2.000  
TW Census data selected 2000  
Data Base Selected  
/export/home/cdbb/pt tvdb.sff  
TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Date: 08-06-2014

Record Selected for Analysis

KPXE-TV USERRECORD-01 KANSAS CITY MO US  
Channel 30 ERP 1000. kW HAAT 337. m RCAMSL 00616 m  
Latitude 039-01-20 Longitude 0094-30-49  
Status APP Zone 2 Border Site number: 01  
Dir Antenna Make usr Model KPXE-CH30 Beam tilt N Ref Azimuth 0.  
Last update Cutoff date Docket  
Comments  
Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility (site # 01) meets maximum height/power limits

Site number 1			
Azimuth	ERP	HAAT	41.0 dBu F(50,90)
(Deg)	(kW)	(m)	(km)
0.0	1000.000	375.6	103.953
45.0	811.801	319.9	97.158
90.0	1000.000	342.1	101.066
135.0	811.801	326.4	97.801
180.0	1000.000	321.2	99.127
225.0	811.801	341.5	99.191
270.0	1000.000	318.6	98.868
315.0	811.801	349.8	99.906

Evaluation toward Class A Stations from site # 01

No Spacing violations or contour overlap  
to Class A stations from site # 01

Class A Evaluation Complete

Checks to Site Number 01

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quiet zone

Proposed facility OK toward Table Mountain

Proposed facility is beyond the Canadian coordination distance

Proposed facility is beyond the Mexican coordination distance

Proposed station is 2.06km from AM station  
KANSAS CITY MO KMBZ Status: Antenna: DAN

\*\*\*\*\*

# OET-69 Interference Analysis (KPXE-TV, Kansas City, MO, Channel 30)(Worst-Case Scenarios)

## Start of Interference Analysis

Channel	Proposed Station Call	City/State	ARN
30	KPXE-TV	KANSAS CITY MO	USERRECORD01

### Stations Potentially Affected by Proposed Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
29	KMBC-DR	KANSAS CITY MO	6.8	APP	BPRM 20080616AEO
29	KMBC-TV	KANSAS CITY MO	6.8	LIC	BLCDT 20090618ACY
31	KCWE	KANSAS CITY MO	6.8	LIC	BLCDT 20051014ABT

%%%

### Analysis of Interference to Affected Station 1

#### Analysis of current record

Channel	Call	City/State	Application Ref. No.
29	KMBC-DR	KANSAS CITY MO	BPRM -20080616AEO

### Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
29	KGAN	CEDAR RAPIDS IA	423.3	LIC	BLCDT -20140416AAI
29	KMBC-TV	KANSAS CITY MO	0.0	LIC	BLCDT -20090618ACY
30	KPXE-TV	KANSAS CITY MO	6.8	APP	USERRECORD-01

Total scenarios = 1

Result key: 1  
Scenario 1 Affected station 1  
Before Analysis

Results for: 29A MO KANSAS CITY BPRM 20080616AEO APP  
HAAT 358.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2284823	33872.5
not affected by terrain losses	2283461	33461.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	2209776	30771.1
lost to ATV IX only	2209776	30771.1
lost to all IX	2209776	30771.1

### Potential Interfering Stations Included in above Scenario 1

29A MO KANSAS CITY	BLCDT	20090618ACY	LIC
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#### After Analysis

Results for: 29A MO KANSAS CITY BPRM 20080616AEO APP  
HAAT 358.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2284823	33872.5
not affected by terrain losses	2283461	33461.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	2209776	30771.1
lost to ATV IX only	2209776	30771.1
lost to all IX	2209776	30771.1

### Potential Interfering Stations Included in above Scenario 1

29A MO KANSAS CITY	BLCDT	20090618ACY	LIC
30A MO KANSAS CITY	USERRECORD01		APP

Percent new IX = 0.0000%

Worst case new IX 0.0000% Scenario 1

%%%

# OET-69 Interference Analysis (KPXE-TV, Kansas City, MO, Channel 30)(Worst-Case Scenarios)

## Analysis of Interference to Affected Station 2

### Analysis of current record

Channel	Call	City/State	Application	Ref. No.
29	KMBC-TV	KANSAS CITY MO	BLCDT	-20090618ACY

### Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
29	KGAN	CEDAR RAPIDS IA	423.3	LIC	BLCDT	-20140416AAI
29	KMBC-DR	KANSAS CITY MO	0.0	APP	BPRM	-20080616AEO
30	KPXE-TV	KANSAS CITY MO	6.8	APP	USERRECORD-01	

Total scenarios = 3

### Result key:

Scenario 1 Affected station 2  
Before Analysis

Results for: 29A MO KANSAS CITY BLCDT 20090618ACY LIC  
HAAT 358.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2284823	33872.5
not affected by terrain losses	2283461	33461.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

Potential Interfering Stations Included in above Scenario 1

### After Analysis

Results for: 29A MO KANSAS CITY BLCDT 20090618ACY LIC  
HAAT 358.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2284823	33872.5
not affected by terrain losses	2283461	33461.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	4298	95.8
lost to ATV IX only	4298	95.8
lost to all IX	4298	95.8

Potential Interfering Stations Included in above Scenario 1

30A MO KANSAS CITY USERRECORD01 APP

Percent new IX = 0.1882%

Worst case new IX 0.1882% Scenario 1

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## Analysis of Interference to Affected Station 3

### Analysis of current record

Channel	Call	City/State	Application	Ref. No.
31	KCWE	KANSAS CITY MO	BLCDT	-20051014ABT

### Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
31	KWBM	HARRISON AR	293.5	LIC	BLCDT	-20091201ASC
31	KDCU-DR	DERBY KS	298.2	APP	BPRM	-20090219AEY
31	KDCU-DT	DERBY KS	298.2	LIC	BLCDT	-20090821AAM
31	KDNL-TV	ST. LOUIS MO	366.8	LIC	BLCDT	-20021216AAE
30	KPXE-TV	KANSAS CITY MO	6.8	APP	USERRECORD-01	

Total scenarios = 3

OET-69 Interference Analysis (KPXE-TV, Kansas City, MO, Channel 30)(Worst-Case Scenarios)

Result key: 5  
Scenario 1 Affected station 3  
Before Analysis

Results for: 31A MO KANSAS CITY BLCDT 20051014ABT LIC  
HAAT 332.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2231581	32040.2
not affected by terrain losses	2229320	31609.1
lost to NTSC IX	0	0.0
lost to additional IX by ATV	3395	267.4
lost to ATV IX only	3395	267.4
lost to all IX	3395	267.4

Potential Interfering Stations Included in above Scenario 1

31A AR HARRISON	BLCDT	20091201ASC	LIC
31A KS DERBY	BLCDT	20090821AAM	LIC
31A MO ST. LOUIS	BLCDT	20021216AAE	LIC

After Analysis

Results for: 31A MO KANSAS CITY BLCDT 20051014ABT LIC  
HAAT 332.0 m, ATV ERP 1000.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2231581	32040.2
not affected by terrain losses	2229320	31609.1
lost to NTSC IX	0	0.0
lost to additional IX by ATV	6140	359.2
lost to ATV IX only	6140	359.2
lost to all IX	6140	359.2

Potential Interfering Stations Included in above Scenario 1

31A AR HARRISON	BLCDT	20091201ASC	LIC
31A KS DERBY	BLCDT	20090821AAM	LIC
31A MO ST. LOUIS	BLCDT	20021216AAE	LIC
30A MO KANSAS CITY	USERRECORD01		APP

Percent new IX = 0.1233%

Worst case new IX 0.1233% Scenario 1

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